In the High Court of Uttaranchal at Nainaital.
(Old No. 2375 of 1982)

Criminal Appeal No. 445 of 2001

R.K. Sinha Advocate
S/o Late S.C. Sinha,
R/o 6 Subhash Road, Dehradun ……Appellant.

Vs.
Bhim Bahadur S/o Gopal Bahadur
R/o 12 Acharya Narendra Deo Marg
(Municipal Road) Dehradu …..Respondent.

Hon'ble Irshad Hussain, J.

Head Sri Puran Singh Bisht in brief of Sri Rakesh Thapliyal learned counsel for the appellant and Sri A.Rab learned A.G.A.

This criminal appeal under section 378(4) of the Code of Criminal Procedure has been filed against the order dated 24-6-1982 passed by then Munsif Magistrate, Dehradun in criminal case no. 41/1982 acquitting the accused -respondent from the charge under section 448 I.P.C.

I have been led through the impugned judgment by the learned counsel for the appellant who after dealing with the same conceded that the respondent had been acquitted after proper and fair appreciation of the evidence. I also agree with this submission and therefore the appeal lack merit and is liable to be dismissed.

The appeal is dismissed.

Dated: 10-06-2004 **(Irshad Hussain, J.)**

ISB